

**ASSEMBLY BILL**

**No. 2652**

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**Introduced by Assembly Member Linder**

February 21, 2014

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An act to amend Section 167 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2652, as introduced, Linder. Transportation funds.

Existing law requires funds in the State Highway Account to be programmed, budgeted, and expended to maximize the use of federal funds and according to a specified sequence of priorities. Existing law requires the Department of Transportation to provide certain information to the Legislature to substantiate the department's proposed capital outlay support budget.

This bill would make nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 167 of the Streets and Highways Code
- 2 is amended to read:
- 3 167. (a) Funds in the State Highway Account in the State
- 4 Transportation Fund shall be programmed, budgeted subject to
- 5 Section 163, and expended to maximize the use of federal funds
- 6 and shall be based on the following sequence of priorities:
- 7 (1) Operation, maintenance, and rehabilitation of the state
- 8 highway system.

1 (2) Safety improvements where physical changes, other than  
2 adding additional lanes, would reduce fatalities and the number  
3 and severity of injuries.

4 (3) Transportation capital improvements that expand capacity  
5 or reduce congestion, or do both.

6 (4) Environmental enhancement and mitigation programs.

7 (b) With respect to the funds in the State Highway Account, in  
8 the Public Transportation Account, and in the Passenger Rail Bond  
9 Fund, the proposed budget shall be organized on a program basis.

10 The proposed budget shall list the proposed expenditures for the  
11 transportation program under the following program elements:

12 (1) Administration.

13 (2) Program development.

14 (3) Maintenance.

15 (4) State highway operation and protection.

16 (5) Local assistance.

17 (6) Interregional improvements.

18 (7) Regional improvements.

19 (8) Environmental enhancement and mitigation programs.

20 (c) State operations expenditure amounts of the department for  
21 interregional and regional transportation improvement projects  
22 shall be listed as required by subdivision (b) of Section 14529 of  
23 the Government Code, but those amounts other than those for the  
24 acquisition of rights-of-way, construction, and construction support  
25 shall not be subject to allocation by the commission.

26 (d) To align the annual budget with the adopted state  
27 transportation improvement program, the department may submit  
28 to the Department of Finance revised capital outlay support and  
29 capital outlay budget estimates as part of its May Revision process.  
30 Budget proposals related to these changes shall be provided to the  
31 Legislature no later than May 1.

32 (e) The budget shall not include specific appropriations for  
33 specific transportation improvement projects, and the Legislature  
34 shall not enact legislation containing specific individual  
35 transportation projects.

36 (f) The basis for defining major and minor capital outlay projects  
37 shall be established by the commission.

38 (g) The Legislative Analyst shall prepare an analysis of the  
39 proposed expenditures for each program element as a part of the  
40 budget analysis.

(h) The department shall submit to the Legislative Analyst, ~~and~~  
the Senate Committee on Budget and Fiscal ~~Review~~ *Review*, and  
the Assembly Committee on Budget, on an annual basis,  
supplemental information to substantiate the department's proposed  
capital outlay support budget. The information shall be provided  
no later than May 1 of each year, and may be provided at an earlier  
date. The information shall include, but not be limited to, the  
following:

(1) A list of projects for which the department will perform  
capital outlay support work in the budget year. For each project,  
the department shall include:

(A) The planned project support budget for support of  
environmental, design, right-of-way, and construction phases.

(B) The planned capital costs, including construction capital  
costs and right-of-way capital costs.

(C) The estimated or actual construction start date and  
completion date.

(D) The name and year of the state transportation program in  
which the project is programmed, if applicable.

(E) Total prior fiscal year expenditures for capital outlay support.

(F) The number of full-time equivalent positions requested to  
perform support of environmental, design, right-of-way, and  
construction work in the fiscal year of the budget request.

(G) Milestones of project work by phases that are planned to  
be completed in the fiscal year of the budget request.

(H) The ratio of support to capital costs based on current  
programming.

(2) The capital-to-support ratio for all projects completed in the  
prior fiscal year in each program in each district.

(3) The current total number of authorized and vacant positions  
in the capital outlay support program in headquarters and in each  
district.

(4) A five-year projection of the department's staffing needs to  
support the state's transportation capital programs and any  
workload performed by the department related to federal or local  
funding for highway capital projects.

(5) The average cost of a personnel-year equivalent in each  
district based on the department's existing contracts for capital  
outlay support work performed by a private company under

1 contract with the department. For each average cost, the department  
2 shall provide a description of what factors are included in that cost.

3 (6) The average cost of a state staff personnel-year in the capital  
4 outlay support program in each district and in headquarters. The  
5 cost shall include the salary and wages, benefits, program overhead,  
6 administrative overhead, and other associated costs. The  
7 department shall provide a description of each component of the  
8 average cost.

9 (7) A summary of expected capital outlay support workload for  
10 the budget year that includes the following:

11 (A) The total full-time equivalents requested for each type of  
12 the following activities: environmental, design, right-of-way, and  
13 construction.

14 (B) The total full-time equivalents requested for each type of  
15 project, including, but not limited to, the state transportation  
16 improvement program, the state highway operation and protection  
17 program, bond programs, regional and local agency partnership  
18 workload, and any other program.

19 (8) The total number of projects with requested resources, as  
20 well as the number of projects in which the department is limited  
21 to an oversight role.

22 (9) The number of milestones scheduled, including  
23 environmental, design, right-of-way, and construction deliverables,  
24 as well as the number of projects expected to begin construction  
25 and reach completion.

26 (10) A summary for the most recently completed fiscal year for  
27 the following:

28 (A) Full-time equivalents and related funding expended,  
29 including support of environmental, design, right-of-way, and  
30 construction activities.

31 (B) Approved and filled positions as of the end of the fiscal  
32 year.